

SUMMARY OF COUNCIL AND COMMITTEE MEETINGS		
RES/ORD	SUBJECT	ACTION

**Thursday, July 30, 1998**

2:00 **WORKSESSION** - 1999 State Worksession  
Legislative Program (Bialek)

**Tuesday, August 4, 1998**

8:00 **INVOCATION** Silent Prayer

8:05 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Addendum: Added closed  
Calendar Changes (Lauer) session for personnel  
matter, State Government  
Article §10-508(a)(1)(ii)

B. **Action** - Approval of Minutes: Approved as amended  
June 23, June 30, July 7, July 23, 1998 (Edgar)

(1) 8:10 **CONSENT CALENDAR**

**R-13-1388** A. **Introduction/Suspension of** Introduced/suspended  
**Rules/Action** - Office of Legislative Oversight rules; adopted  
FY99 Work Program (Orlansky)  
*Request to suspend Rules of  
Procedure (Rule 7c) to allow immediate action;  
MFP Committee  
recommends an amendment to the proposed work  
program.*

**R-13-1389** B. **Introduction/Suspension of** Introduced/suspended  
**Rules/Action** - Resolution to establish Office of rules; adopted  
Legislative Oversight (OLO) Resource Committee  
related to OLO's FY99 Review of how the Police  
Department responds to complaints about  
Department employee conduct (Orlansky)  
*Request to suspend Rules of  
Procedure (Rule 7c) to allow immediate action*

RES/ORD	SUBJECT	ACTION
	<p>C. <b><u>Introduction</u></b> - Supplemental Appropriation and amendment to the Montgomery County Public Schools' FY98 Operating Budget - \$186,000 for the purchase of furniture and equipment for the John Poole Middle School (Source: Real Estate Management Fund Reserves) (Sherer)</p> <p><i>Public Hearing is scheduled for September 22, 1998, at 1:30 pm.</i></p>	Introduced and extended the time for action to 8/31/99
R-13-1390	<p>D. <b><u>Action</u></b> - Resolution to approve a loan agreement between County and Maryland State Department of Business and Economic Development under Maryland Industrial and Commercial Redevelopment Fund (MICRF): Aspen Systems Corporation (Ferber)</p>	Adopted
R-13-1391	<p>E. <b><u>Action</u></b> - Resolution to amend FY99 Designation of Entities for Non-Competitive Contract Award Status - Network of Community Resources (Bobrow)</p>	Adopted
R-13-1392	<p>F. <b><u>Action</u></b> - Resolution to Declare Emergency Nature of Silver Spring Redevelopment Program and Parking Town Square Garage (Ferber)</p>	Adopted
R-13-1393	<p>G. <b><u>Action</u></b> - Executive Regulations 14-98, Position Description for Chief, Division of Fire and Rescue Services, and</p>	Adopted, approving Executive Regulation 14-98
R-13-1394	<p>15-98, Position Description for Chief, Division of Volunteer Fire and Rescue Services (Davidson)  <i>PS Committee recommends approval of amended regulations</i></p>	Adopted, approving Executive Regulation 15-98
R-13-1395	<p>H. <b><u>Action</u></b> - Executive Regulation 10-98, Fire Safety Code - Fee Schedule for Permits, Licenses &amp; Exceptions (Davidson)  <i>PS Committee recommends approval of amended regulation.</i></p>	Adopted

RES/ORD	SUBJECT	ACTION
<b>R-13-1396</b>	I. <b><u>Action</u></b> - Resolution to extend time for Council action until December 15, 1998, on Fire and Rescue Commission Executive Regulations 1-98, Training Standards and Certification Requirements; and 2-98, Certification Standards for Training and Experience Requirements (Davidson)	Adopted, extending the time for Council action until 12/15/98
<b>R-13-1397</b>	J. <b><u>Action</u></b> - County Guarantee of Housing Opportunities Commission Bonds: Landing's Edge Apartments and Pook's Hill Courtyard, and Kensington Park (Arthur) <i>MFP Committee recommendation will be available 8/3/98.</i>	Adopted
<b>R-13-1398</b>	K. <b><u>Action</u></b> - Resolution to authorize issuance of bonds for West Germantown Development District (Faden)	Adopted
<b>R-13-1399</b>	L. <b><u>Action</u></b> - Resolution to consolidate the issuance of authorized bonds (Cogan)	Adopted
	M. <b><u>Action</u></b> - ED/HHS Committee recommendations regarding Office of Legislative Oversight Report 98-2, A Review of the School Health Services Program (Orlansky/Planell)	Approved ED/HHS Comte recommendations regarding OLO Rpt. 98-2
<b>R-13-1400</b>	N. <b><u>Action</u></b> - Confirmation of County Executive appointment to the Board of Social Services: William L. Pierce. Ph.D. (Ferber)	Adopted, confirming CE appointment
<b>R-13-1401</b>	O. <b><u>Action</u></b> - Confirmation of County Executive appointment to the Criminal Justice Coordinating Commission: Kenneth Goldsmith (Ferber)	Adopted, confirming CE appointment
<b>R-13-1402</b>	P. <b><u>Action</u></b> - Confirmation of County Executive appointments to the WSSC Task Force on Privatization: Waymond "Tony" D. Bray; J. R. Schuble, Jr. (Ferber)	Adopted, confirming CE appointments
<b>R-13-1402a</b>	Appointment of President Leggett as a WSSC Task Force on Privatization Member representing the Montgomery County Council (Ferber)	Adopted, confirming CE appointments

RES/ORD	SUBJECT	ACTION
<b>R-14-1403</b>	Q. <b><u>Action</u></b> - Confirmation of County Executive appointments to the Juvenile Court Committee: Scott A. Chambers; Deborah A. Jefferson; Ki Kim; Andrea G. Lange, Ph.D.; Graciela Rivera-Oven; Irving Scott; Rachael Flatt; Judith B. Morenoff; Marvin E. Perlis, Esq.; Darryl Norwood; Jane A. Milne (Ferber)	Adopted, confirming CE appointments
<b>R-13-1404</b>	R. <b><u>Action</u></b> - Approval of County Executive Nominations for Property Tax Assessment Appeals Board: Mary Law Miller; Yale J. Wiesberg; John A. Hansman (regular members); Yale J. Weisberg; George Woolley; John A. Hansman (alternate members) (Ferber)	Adopted, approving CE nominations
<b>R-13-1405</b>	S. <b><u>Action</u></b> - Confirmation of County Executive appointments to the Adult Public Guardianship Review Board: Peter R. Cohen, M.D.; Mary S. Lewis; Kathleen Musallam; Roberta Dunlap Wolcott (Ferber)	Adopted, confirming CE appointments
	T. <b><u>Action</u></b> - Extension of time for Council action on resolutions due to expire August 31, 1998 (Edgar): Categorical Transfer for the FY 99 Operating Budget of the Montgomery County Public Schools, in the amount of \$4,638,234; Establishment of a Commission on Transportation Needs in Montgomery County; and Item 1C introduced today	Extended time for Council action until 8/31/99
<b>R-13-1406</b>	U. <b><u>Action</u></b> - Confirmation of County Executive appointments to the Fire and Rescue Commission: Paul H. Sterling, Jr.; Leonard J. Marco; Thomas W. Carr, Jr.; Robert L. Freeman; Ronald L. Ogens; Anita Powell; Fernando Bren (Ferber)	Adopted, confirming CE appointments

RES/ORD	SUBJECT	ACTION
<b>R-13-1407</b>	(2) 8:20 <b><u>ACTION</u></b> - Confirmation of County Executive appointments of Gordon Aoyagi, Fire Administrator;	Adopted, confirming CE appointment
<b>R-13-1408</b>	Roger W. Strock, Chief, Division of Fire and Rescue Services; and	Adopted, confirming CE appointment
<b>R-13-1409</b>	David S. Dwyer, Chief, Division of Volunteer Fire and Rescue Services (Ferber)	Adopted, confirming CE appointment
	8:25 <b><u>BOARD OF HEALTH</u></b>	
<b>R-13-1410</b>	(3) A. <b><u>Action</u></b> - Resolution to approve Emergency Bill 13-98, Tobacco - Distribution to Minors, as a Board of Health regulation (Faden)	Adopted, approving Emergency Bill 13-98 as a Board of Health regulation
<b>R-13-1411</b>	(4) 8:30 <b><u>ACTION</u></b> on the following projects relating to Conference Center: (Ferber) - Emergency Appropriation and amendment to County Government's FY99-04 Capital Improvements Program and FY99 Capital Budget, Department of Public Works and Transportation - \$2,234,000 Conference Center Intersection Improvements	Adopted
<b>R-13-1412</b>	- Amendment to County Government's FY99-04 Capital Improvements Program - Department of Economic Development - Conference Center Design	Adopted
<b>R-13-1413</b>	- Amendment to Revenue Authority's FY99-04 Capital Improvements Program - Conference Center <i>PHED Committee recommendation will be available 8/3/98.</i>	Adopted
<b>R-13-1414*</b>	(5) 9:15 <b><u>ACTION</u></b> - Resolution approving ballot titles and proposed Charter Amendments (Faden)	Adopted

\*amended

RES/ORD	SUBJECT	ACTION
(6)	9:45 <b><u>DISTRICT COUNCIL SESSION</u></b>	
<b>R-13-1415</b>	<p>A. <b><u>Introduction</u></b> - Zoning Text  Amendment 98022, Farm Market and Country  Market - Residential Zones (Wilson)</p> <p><b><u>Action</u></b> - Resolution to  establish public hearing for September 22, 1998, at 1:30  pm</p>	<p>Introduced; set PH at 1:30  P.M., 9/22/98</p>
<b>R-13-1416</b>	<p>B. <b><u>Introduction</u></b> - Zoning Text  Amendment 98023, Town Sector Zone - technical  correction regarding parking requirements (Arthur)</p> <p><b><u>Action</u></b> - Resolution to  establish public hearing for  September 22, 1998, at 1:30  pm</p>	<p>Introduced; set PH at 1:30  P.M., 9/22/98</p>
	<p>C. <b><u>Introduction</u></b> - Historic  Preservation Ordinance Amendment 98-2: Historic  Preservation Commission - Work Permit Application  - Staff Review (Cogan)</p> <p>Public Hearing is scheduled  for September 22, 1998, at 1:30 p.m.</p>	<p>Introduced</p>
<b>O-13-98</b>	<p>D. <b><u>Action</u></b> - Zoning Text  Amendment 97019, Lots Recorded prior to January  1, 1954 - R-60, R 90, and R-200 Zones  (mansionization)(Wilson)</p> <p>PHED Committee  recommends approval with amendments.</p>	<p>Adopted (9y)*</p>
	10:15 <b><u>LEGISLATIVE SESSION</u></b> Day #25	
	<p>C. Call of Bills for Final Reading  (12) • <b>Bill 33-97</b>, Building Permits -  Notice (Faden)  PHED Committee recommends approval.</p>	<p>Enacted (8y; GE n)*</p>
	<p>A. Approval of Legislative Journal -  June 23, June 30, July 7, July 14, 1998 (Edgar)</p>	<p>Approved journals</p>

RES/ORD	SUBJECT	ACTION
B. Introduction of Bills		
(7)	<ul style="list-style-type: none"> <li>• <b>Bill 23-98</b>, Development Impact Tax - Amendments, sponsored by Council President at request of the County Executive (Faden)</li> </ul>	Introduced
	<i>Public Hearing is scheduled for September 22, 1998, at 7:30 pm.</i>	
(8)	<ul style="list-style-type: none"> <li>• <b>Emergency Bill 24-98</b>, Homestead Property Tax Credit - 1999 Tax Year, sponsored by Council President (Faden)</li> </ul>	Introduced; requested broad advertisement for PH to consider setting tax credit percentage at 105%
	<i>Public Hearing is scheduled for September 22, 1998, at 1:30 pm.</i>	
(9)	<ul style="list-style-type: none"> <li>• <b>Bill 25-98</b>, Retirement Savings Plan and Employees' Retirement System - Revisions, sponsored by Council President at request of the County Executive (Cogan)</li> </ul>	Introduced
	<i>Public Hearing is scheduled for September 29, 1998, at 1:30 pm.</i>	
(10)	<ul style="list-style-type: none"> <li>• <b>Bill 26-98</b>, Employees' Retirement System - Miscellaneous Amendments, sponsored by Council President at request of the County Executive (Cogan)</li> </ul>	Deferred
	<i>Public Hearing is scheduled for September 29, 1998, at 1:30 pm.</i>	
(11)	<ul style="list-style-type: none"> <li>• <b>Bill 27-98</b>, Demolition Loan Fund - Establishment, sponsored by Councilmember Berlage (Faden)</li> </ul>	Introduced; included Councilmember Subin as co-sponsor
	<i>Public Hearing is scheduled for September 29, 1998, at 1:30 pm.</i>	

RES/ORD	SUBJECT	ACTION
C. Call of Bills for Final Reading		
(13)	<ul style="list-style-type: none"> <li>• <b>Bill 43-97</b>, Cable Communications - Franchise Procedures (Cogan) <i>MFP Committee recommends approval with amendments.</i></li> </ul>	Enacted (9y)*
(15)	<ul style="list-style-type: none"> <li>• <b>Bill 18-98</b>, Bond Authorization (Cogan)</li> </ul>	Enacted (8y; DB t/a)*
(16)	<ul style="list-style-type: none"> <li>• <b>Emergency Bill 19-98</b>, Tobacco Tax - Imposition (Faden)</li> </ul>	Worksession; sent to HHS/PS Comtes for work; agreed that bill would not be effective before 1/1/99
(17)	<ul style="list-style-type: none"> <li>• <b>Bill 20-98</b>, Compensation - Elected Officials (Faden)</li> </ul>	Enacted (8y; NP t/a)*
(18)	<ul style="list-style-type: none"> <li>• <b>Emergency Bill 22-98</b>, Animal Control - Prepayment for County Care (Cogan) <i>PS Committee recommends approval with amendments</i></li> </ul>	Enacted (9y)*
(14)	<ul style="list-style-type: none"> <li>• <b>Bill 45-97</b>, Collective Bargaining - Amendments (Faden) <i>MFP Committee recommends disapproval..</i></li> </ul>	Disapproved (5y to disapprove; MS, GE, IL n; DB ta)*
12:15 <b><u>RECESS - PROPOSED CLOSED SESSION</u></b> to discuss a personnel matter, pursuant to State Government Article §10-508(a)(1)(ii), and a matter directly related to a negotiating strategy or the contents of a bid or proposal, pursuant to Maryland Code, Section 10-508 (a)(14). Topic is solid waste contract. (6th floor Council Conference Room) (Hughes/Faden)		Held closed session
(19) 1:30	<b><u>PUBLIC HEARING</u></b> - Zoning Text Amendment 98020, Health Club in the C-1 Zone (Wilson) <i>PHED Committee worksession tentatively scheduled for 9/17/98 at 2:00 pm.</i>	PH; record open until close of business 8/18/98



RES/ORD	SUBJECT	ACTION
	(20) 1:30 <b><u>PUBLIC HEARING</u></b> - Amendment to Historic Resources Preservation Ordinance 98-1: Historic Preservation - Application Process (Cogan) <i>Action scheduled later in afternoon.</i>	PH; record closed and action taken in District Council
	(6) 9:45 <b><u>DISTRICT COUNCIL SESSION (Cont'd.)</u></b>	
	(6) 9:45 <b><u>DISTRICT COUNCIL SESSION</u></b>	
<b>O-13-99</b>	F. <b><u>Action</u></b> - Amendment to Historic Resources Preservation Ordinance 98-1: Historic Preservation - Application Process (Cogan) <i>PHED Committee recommendation will be available 8/3/98.</i>	Adopted (9y)*
<b>R-13-1417</b>	(21) 1:30 <b><u>PUBLIC HEARING/ACTION</u></b> - Emergency Appropriation and amendment to the County Government's FY99 Operating Budget, Police Department - \$1,543,700 Regional Fingerprinting Identification System Upgrade and Equipment (Source: General Fund Reserve and Prince George's County contribution) (McMillan) <i>PS Committee recommends approval.</i>	PH; record closed; adopted
	(22) 1:30 <b><u>PUBLIC HEARING/ACTION</u></b> - Emergency Appropriation and amendment to County Government's FY99 Capital Budget and FY99-04 Capital Improvements Program, Department of Public Works and Transportation - \$865,000 to expand Recycling Facility for mixed paper recycling program (Source: Solid Waste Disposal Fund) (Hughes)	PH; record closed; defeated motion to approve; (4y; ND, GE, WH, NP, MP, n)*

\*y - yes; n - no

RES/ORD	SUBJECT	ACTION
<b>R-13-1418</b>	(23) 2:45 <b><u>ACTION</u></b> - Comprehensive Solid Waste Management Plan (Hughes)	Adopted
<b>R-13-1419</b>	(24) 3:30 <b><u>ACTION</u></b> - Resolution to amend the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan (Hughes) <i>T&amp;E Committee recommends approval.</i>	Adopted
<b>R-13-1420*</b>	(25) 4:00 <b><u>ACTION</u></b> - Abandonment of a portion of alleys between Middleton Lane and Cheltenham Drive in Bethesda (Sherer)	Adopted, approving abandonment
<b>R-13-1421</b>	I. <b><u>Action</u></b> - Resolution to establish public hearing for September 17, 1998, at 7:30 pm on the Sandy Spring/Ashton Sectional Map Amendment (G-770) (Michaelson)	Adopted, setting PH at 7:30 P.M., 9/17/98
	J. <b><u>Action</u></b> - Resolution to remand to Hearing Examiner: (Wilson) <b>Application No:</b> G-752 <b>Applicant:</b> Hearthstone -Vanguard Joint Venture (Jody S. Kline, Attorney) <b>Request:</b> Reclassification from the R-60 Zone to the PD-18 Zone <b>Property:</b> 1936 West University Boulevard , Wheaton, on the south side of University Boulevard approximately 500 feet east of its intersection with Amherst Avenue (5.6003 acres; 13th Election District) <b>Recommendations:</b> Planning Staff:	Remanded to Hearing Examiner
	(26) 4:30 <b><u>DISTRICT COUNCIL SESSION</u></b> (continued)	
<b>O-13-100</b>	G. <b><u>Action</u></b> - Zoning Text Amendment 98017, Increase in nonresidential FAR - CBD 0.5 Zone (Wilson) <i>PHED Committee recommendation will be available 8/3/98.</i>	Adopted (9y)**

\* - amended; \*\*y - yes

RES/ORD	SUBJECT	ACTION
<b>O-13-101</b>	H. <b><u>Action</u></b> - Zoning Text Amendment 98018, Transfer of Development Density - CBD Zones (Wilson) <i>PHED Committee</i> <i>recommendation will be available 8/3/98.</i>	Adopted (9y)*
<b>R-13-1422</b>	E. <b><u>Action</u></b> - Consideration of Hearing Examiner's Report and Recommendation of Local Map Amendment: (Wilson) <b>Application No: G-749</b> <b>Applicant:</b> Beta Corporation (Robert H. Metz and Emily J. Vaia, Attorney) <b>Request:</b> Reclassification from the R-60 Zone to the PD-35 Zone <b>Property:</b> Lots 1-6 and Outlot "A" Blk. 2, Westboro Subdivision and Lots 4-6 Rabners Subdivision, around Bethesda CBD, on the west side of Tilbury St. and north side of Middleton La., Bethesda (1.3837 acres; 7th Election District) <b>Recommendations:</b> Planning Staff:  Planning Board: Approve Hearing Examiner: Remand Planning Board: Approve Hearing Examiner: Approve  <b><u>ADJOURN:</u> 3:56</b>  Memorandum reporting Receipt of Petitions for Council (McGuire)	Approved Local Map Amendment (9y)*

\*y - yes

COMMITTEE	SUBJECT	ACTION
<b>PS Jul 30</b>	<p><b>** 9:00 AM - 7CHR</b> <i>To be televised live on Channel 55</i></p> <p>(1) • <b>Emergency Bill 22-98</b>, Animal Control - Prepayment for County Care(Cogan)</p> <p>(2) • Executive Regulations 14-98, Position Description for Chief, Division of Fire and Rescue Services, and 15-98, Position Description for Chief, Division of Volunteer Fire and Rescue Services (Davidson)</p> <p>(3) • Executive Regulation 10-98, Fire Safety Code - Fee Schedule for Permits, Licenses &amp; Exceptions (Davidson)</p> <p>(4) • Emergency Appropriation, Police Department - \$1,543,700 for Regional Fingerprinting Identification System Upgrade and Equipment (McMillan)</p>	<p>Recommended approval, as amended</p> <p>Recommended adoption of resolutions approving regulations</p> <p>Worksession</p> <p>Recommended approval</p>
<b>MFP Jul 30</b>	<p><b>** 9:00 AM - 3CCR</b></p> <p>(1) • Office of Legislative Oversight FY99 Work Program (Orlansky)</p> <p>(2) • Peoples Counsel (Wilson)</p> <p>(3) • <b>Bill 45-97</b>, Collective Bargaining - Amendments (Faden)</p> <p>(4) • <b>Bill 43-97</b>, Cable Communications - Franchise Procedures (Cogan)</p>	<p>Recommended approval as amended</p> <p>Deferred until 8/3/98</p> <p>Recommended disapproval; if CC supports the bill, recommended return to Comte for further review</p> <p>Recommended approval as amended</p>
<b>MFP Jul 30</b>	<p><b>** 4:00 PM - 3CCR</b></p> <p>(1) • Discussion - OLO Report 97-1: Service Structures in Central Business Districts and other Urban Areas (Bobrow)</p>	<p>Discussion</p>

COMMITTEE	SUBJECT	ACTION
<b>HHS</b>	<b>8:30 AM - Piccard Center</b>	
<b>Aug 3</b>	(1) • HHS Technology Update including Network of Community Resources Anchor and Services Locator (Planell)	Received update
	* <b>9:45 AM - 7CHR</b>	
	(2) • Discussion - Developing a DHHS Plan (Planell)	Discussion
	(3) • <b>Bill 6-98</b> , Libraries - Rebates to Municipalities (Faden)	Worksession
	(4) • <b>Bill 21-98</b> , Victim Advocate Program - Amendments (Cogan)	Recommended approval as amended
<b>PHED</b>	<b>9:00 AM - 3CCR</b>	
<b>Aug 3</b>	(1) • Amendment to Historic Resources Preservation Ordinance 98-1: Historic Preservation - Application Process (Cogan)	Recommended approval
	(2) • ZTA 98015, Establishment of Fees for Zoning Admin., Inspection, & Enforcement (Arthur)	Recommended approval
	(3) • ZTA 98016, Multi-Family Zones - Coverage Limitation Technical Correction (Arthur)	Recommended approval
	(4) • ZTA 98017, Increase in nonresidential FAR - CBD 0.5 Zone (Wilson)	Recommended approval
	(5) • ZTA 98018, Transfer of Development Density - CBD Zones (Wilson)	Recommended approval
	(6) • Emer. Appropriation - \$2,234,000 Conference Center Intersection Improvements (Ferber)	Recommended approval with changes to the PDF
	(7) • County Government CIP Amendment - Conference Center Design (Ferber)	Recommended approval
	(8) • Revenue Authority CIP Amendment - Conference Center (Ferber)	Recommended approval

COMMITTEE	SUBJECT	ACTION
<b>MFP</b> <b>Aug 3</b>	<b>** 2:00 PM - 7CHR</b> (1) • County Guarantee of Housing Opportunities Commission Bonds (Arthur)	Recommended approval; agreed to schedule a general policy review later at a joint meeting of MFP/PHED
	(2) • <b>Emergency Bill 16-98</b> , Amusement Tax - Exemption - Govt. Agencies & Muncip. (Faden)	Worksession; requested additional information
	(3) • Cable TV issues (Harrigan)	Worksession; developed recommendations
	(4) • Peoples Counsel	Discussed options for using the \$16,000 appropriated to the CC Office to address issues related to Bd. of Appeals